Crl. Misc.No.66541-M of 2006

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Mukesh Vs. State of Haryana

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Present : Mr. G.S. Hooda, Advocate for the petitioner.
Mr. J.S. Toor, Addl.A.G. Haryana.

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Prayer in this petition is, for grant of regular bail in case FIR No. 270 dated 14.8.2006, registered under Sections 24-A, 25, 61-A, 61-B, 61-C, 63 of the Excise Act and Section 420 IPC at Police Station Narnaund, Distt.Hisar.

The petitioner is a liquor vend licencee. A raid conducted at his premises, led to the recovery of labels, empty bottles and empty cartoons, a machine, as also spurious liquor.

Counsel for the petitioner contends that the petitioner has been behind bars since 17.10.2006 and his co-accused, have already been released on regular bail, vide orders of this Court dated 13.10.2006, passed in Crl.Misc.No.56278-M of 2006.

Counsel for the State of Haryana, states that as the petitioner is the owner of the premises, where the spurious liquor, labels etc. were recovered, he should not be released on bail.

I have heard learned counsel for the parties and perused the paper book.

The petitioner is the alleged owner of the premises, where spurious liquor, labels,bottles etc. were found. As the challan has already been presented, the matter is pending trial and the petitioner's co-accused, namely; Raj Kumar and Narinder Nath Yogi have been released on

regular bail, vide orders of this Court dated 13.10.2006, passed in Crl.Misc.No.56278-M of 2006, no ground to incarcerate the petitioner any further.

Counsel for the State of Haryana, has not expressed any apprehension that if released on bail, the petitioner would subvert the trial and/or try to win over the witnesses.

Bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Hissar.

Nothing stated herein shall be construed to be an expression of opinion on the merits of the case.

16.11.2006 (RAJIVE BHALLA)
GS JUDGE